



US Army Corps
of Engineers
Seattle District



Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone (206) 766-6665
Attn: Jerald Gregory, Project Manager

WA Department of Ecology
SEA Program
300 Desmond Drive Southeast
Olympia, WA 98503-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit
Coordinator

Public Notice Date: July 31, 2008
Expiration Date: August 31, 2008

Reference No.: NWS-2008-774-CRC
Name: McArthur, Donald

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws.

APPLICANT: Mr. Donald McArthur
11332 Lakeshore Drive
Chelan, Washington 98816
Telephone: (509) 687-0482

AGENT: Grette Associates
151 South Worthen Street, Suite 101
Wenatchee, Washington 98801
ATTN: Mr. Ryan Walker
Telephone: (509) 663-6300

LOCATION: In Lake Chelan, near Chelan, Chelan County, Washington.

WORK: Construction of an 8-foot by 50-foot pier, excavation and fill of up to 15 cubic yards for piling footings, and installation of a ground-based boat lift.

PURPOSE: Private recreational access to Lake Chelan.

ADDITIONAL INFORMATION – Copies of this public notice which have been mailed or otherwise physically distributed, feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately communicates the scope of project impacts. To access the electronic version of this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and scroll down the alphabetical listing of District elements, and click on "Regulatory" and then "Regulatory – Permits" for the Seattle District's Regulatory homepage. Select the prominently displayed "Public Notices" heading and a list of recently-

issued public notices will appear, in chronological order of the date of issuance. Select and view the listing for this project.

MITIGATION: As part of the original application, the applicant submitted a large woody debris plan consisting of two large woody debris structures to offset impacts to the aquatic environment. These structures will provide approximately 384 square feet of habitat. In addition, an existing 100 square foot pier will be removed.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION – CORPS - The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

EVALUATION—ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION: This proposal is the subject of Shorelines Substantial Development Permit being processed by Chelan County.

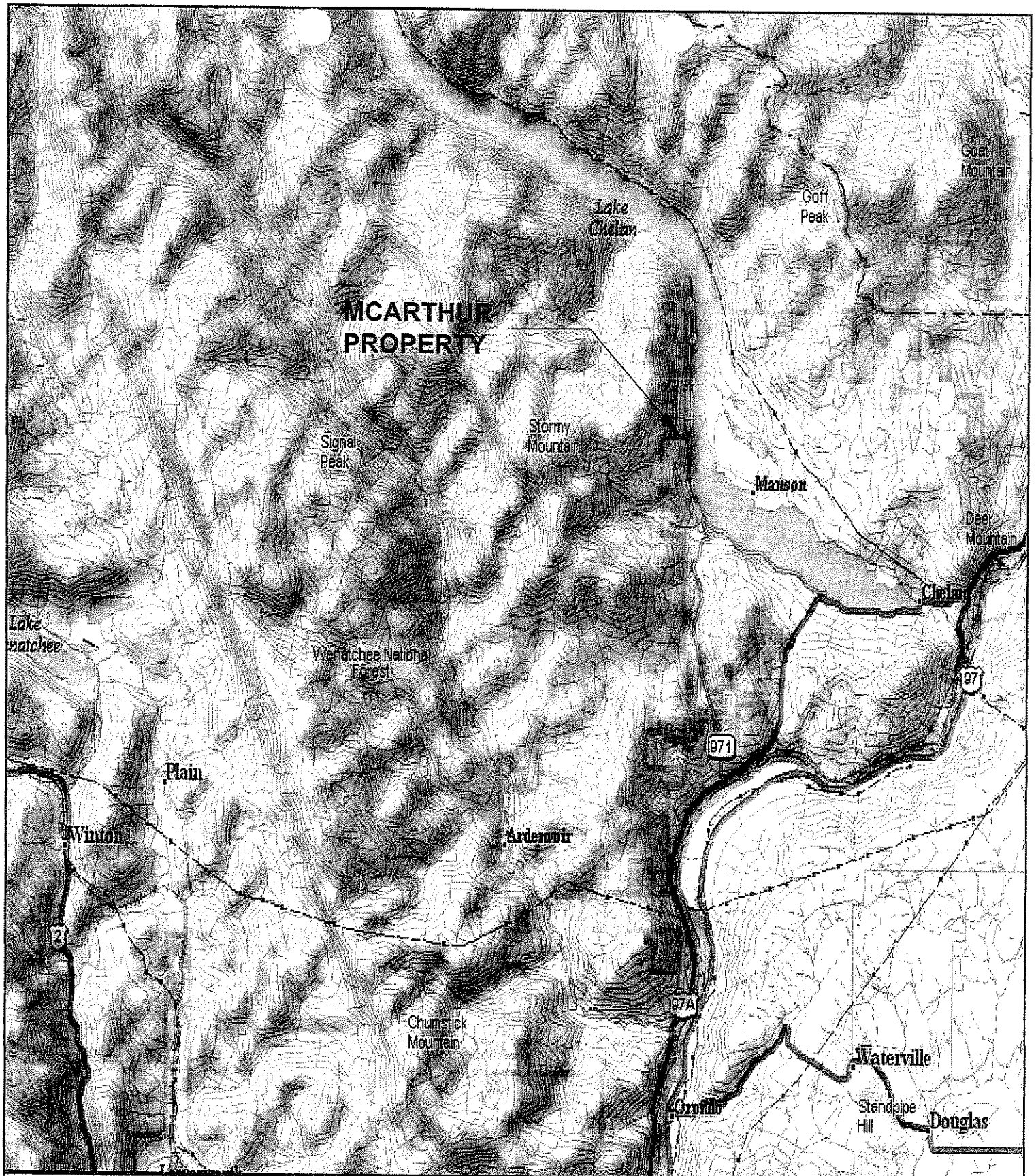
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

Corps comments: All e-mail comments should be sent to Jerald.J.Gregory@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Mr. Jerald J. Gregory, Post Office Box 3755, Seattle, Washington, 98124-3755.

Ecology Comments: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA, may do so by submitting written comments to the following address: Department of Ecology, Attn: SEA program – Federal Permit Coordinator, P.O. Box 47600, Olympia, Washington, 98503-7600, or e-mail to ecyfedpermit@ecy.wa.gov

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: McArthur, Donald, NWS-2008-774-CRC

Encl: Figures (10)



PURPOSE: REPLACE PIER AND INSTALL BOATLIFT

ADJACENT PROPERTY OWNERS:

- ① JEANNE AND JOHN BARNES
3028 RIVERIA BLVD
MALAGA, WA 98828
- ② MYRACHECK FAMILY CABIN LLC
4173-18 JOE MILLER ROAD
MALAGA, WA 98828

VICINITY MAP

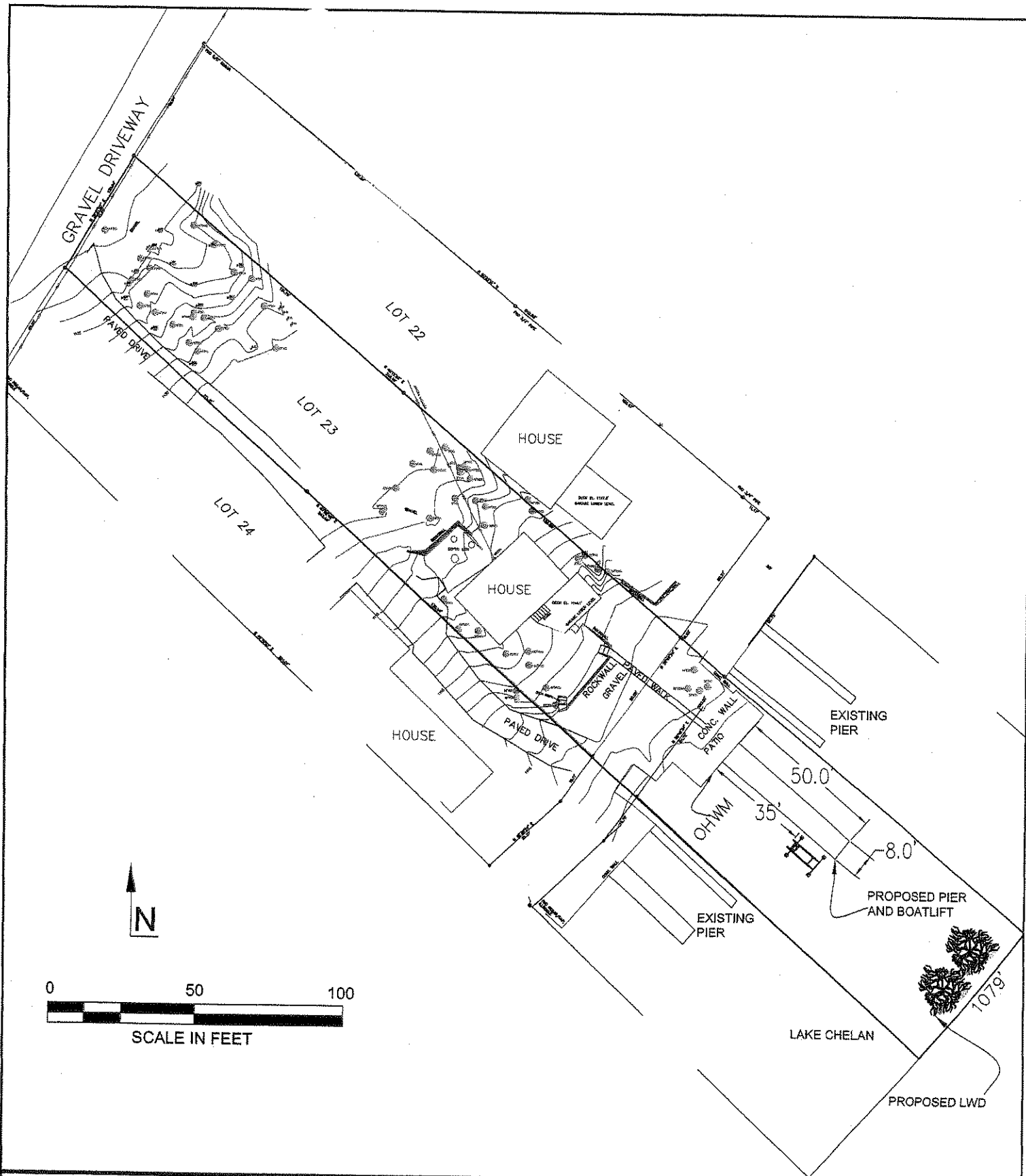


MCARTHUR PIER AND BOATLIFT

IN: LAKE CHELAN
AT: MCARTHUR PROPERTY
11332 SOUTH LAKESHORE
CHELAN, WA 98816

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: DON MCARTHUR

SHEET NO. 1 OF 7 DATE: 5/20/08



PURPOSE: REPLACE PIER AND INSTALL BOATLIFT

ADJACENT PROPERTY OWNERS:

- ① JEANNE AND JOHN BARNES
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MALAGA, WA 98828
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4173-18 JOE MILLER ROAD
MALAGA, WA 98828

LOT LOCATION



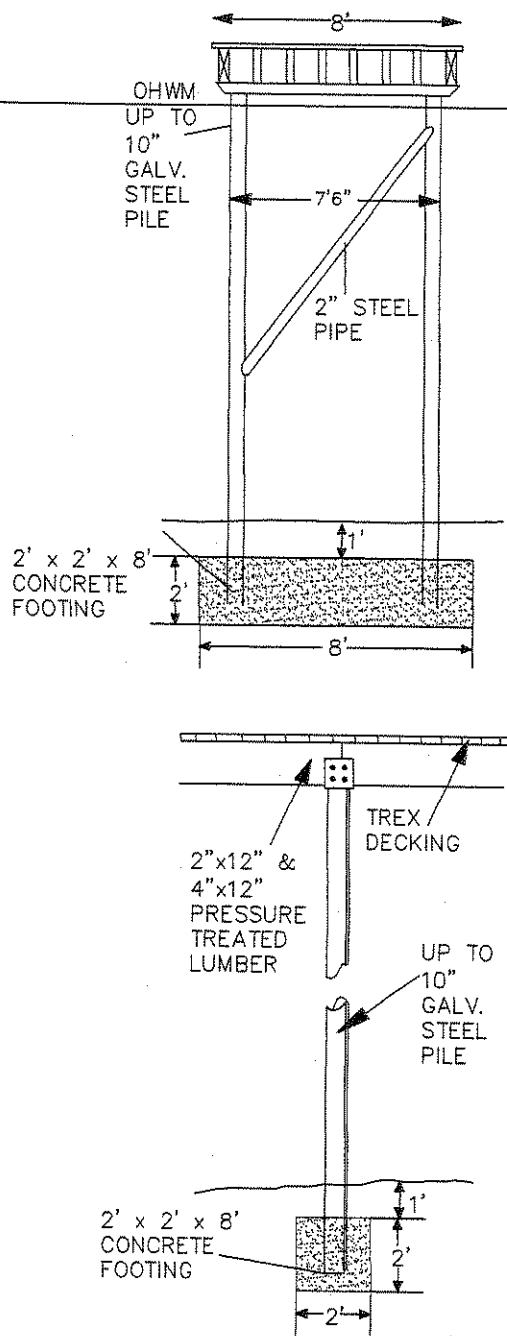
Grette Associates^{LLC}
ENVIRONMENTAL CONSULTANTS

MCARTHUR PIER AND BOATLIFT

IN: LAKE CHELAN
AT: MCARTHUR PROPERTY
11332 SOUTH LAKESHORE
CHELAN, WA 98116

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: DON MCARTHUR

SHEET NO. 2 OF 7 DATE: 5/20/08



TREX DECKING
SPACED 1/2" BETWEEN
PLANKS

4x12 BEAMS

2x12 STRINGERS

UP TO 10"
STEEL GALV.
PILE

CONCRETE
FOOTINGS

8.0'

50.0'

OHWM/EXISTING SEAWALL 1100'

0 5 10
SCALE IN FEET

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PIER PLAN



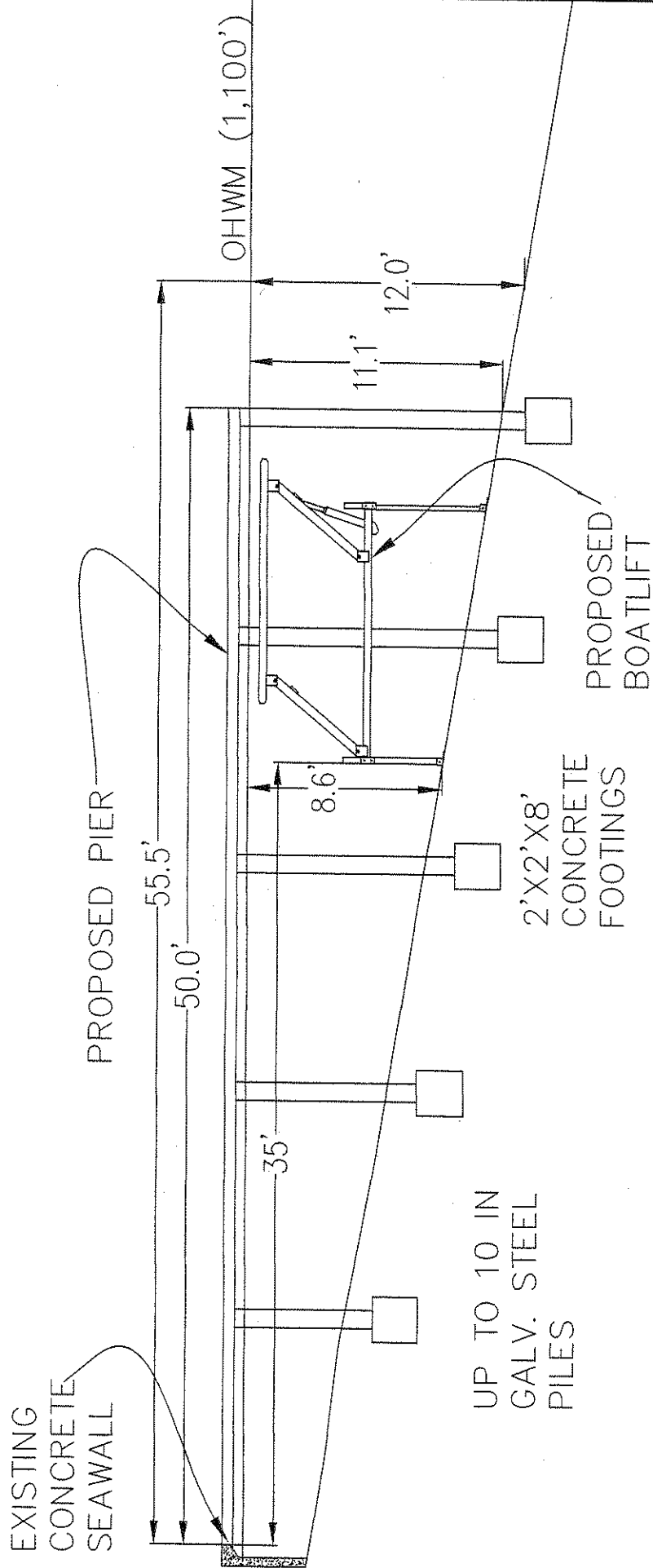
Grette Associates LLC
ENVIRONMENTAL CONSULTANTS

MCARTHUR PIER AND BOATLIFT

IN: LAKE CHELAN
AT: MCARTHUR PROPERTY
11532 SOUTH LAKESHORE
CHELAN, WA 98116

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: DON MCARTHUR

SHEET NO. 4 OF 7 DATE: 5/20/08



PURPOSE: REPLACE PIER AND INSTALL BOATLIFT

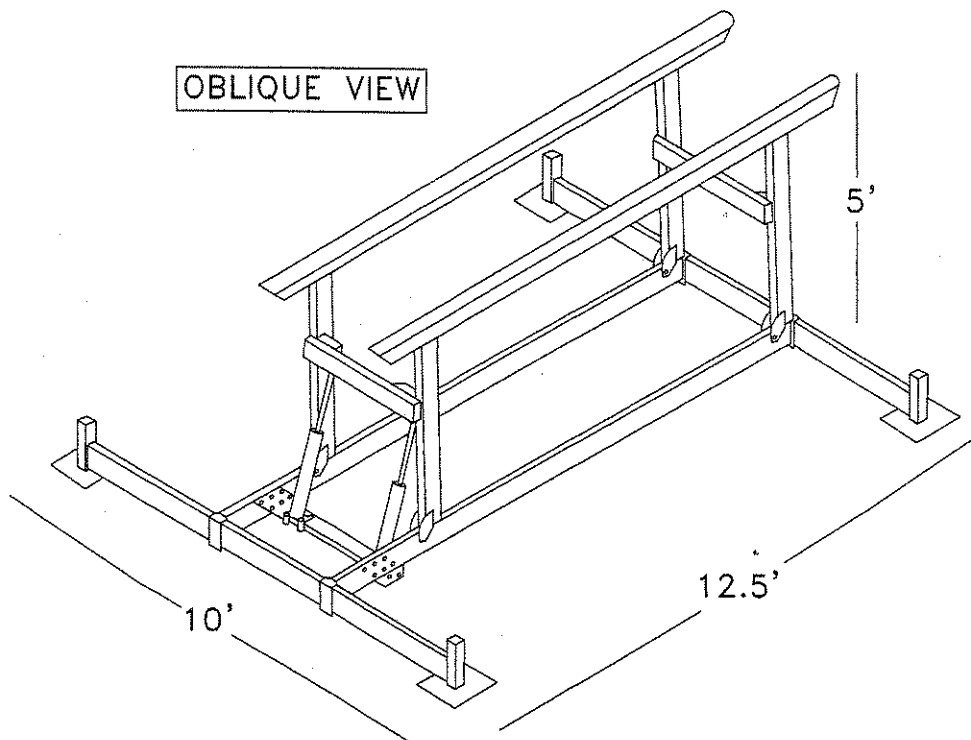
ADJACENT PROPERTY OWNERS:
 ① JEANNE AND JOHN BARNES
 3028 RIVERIA BLVD
 MALAGA, WA 98828
 ② MYRACHECK FAMILY CABIN LLC
 4173-18 JOE MILLER ROAD
 MALAGA, WA 98828

CROSS SECTION

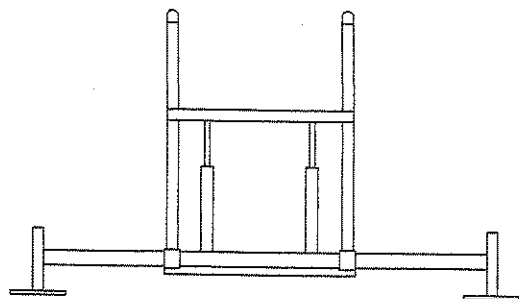
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MCARTHUR PIER AND BOATLIFT
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 AT: MCARTHUR PROPERTY
 11332 SOUTH LAKESHORE
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 COUNTY OF: CHELAN
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 APPLICATION BY: DON MCARTHUR

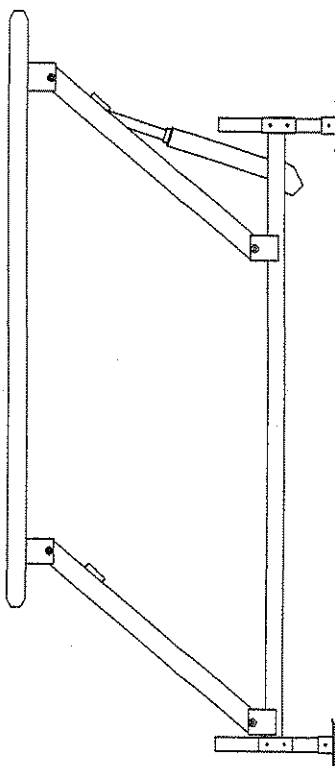
OBLIQUE VIEW



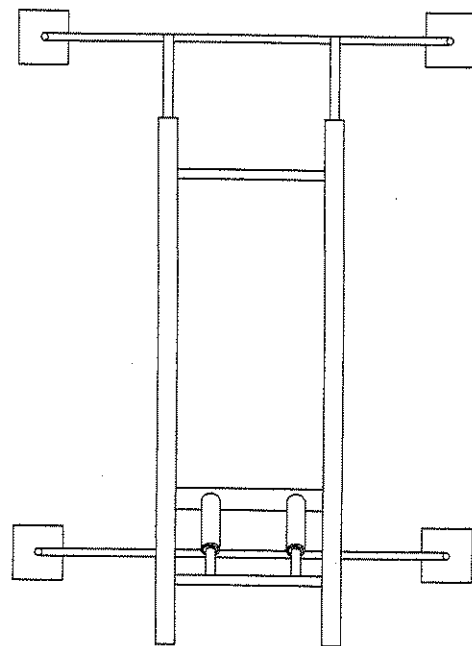
FRONT VIEW



SIDE VIEW



AERIAL VIEW



PURPOSE: REPLACE PIER AND INSTALL BOATLIFT

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MALAGA, WA 98828

BOATLIFT



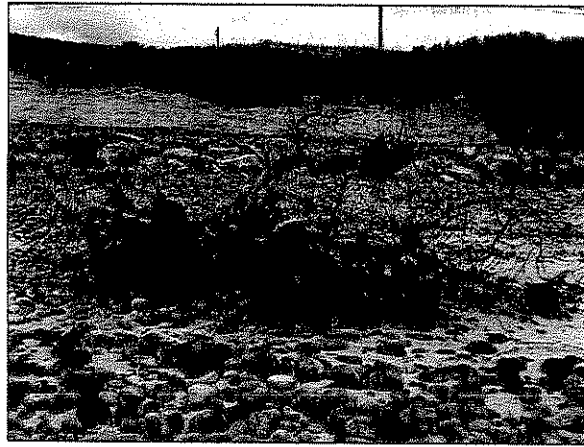
Grette Associates^{LLC}
ENVIRONMENTAL CONSULTANTS

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AT: MCARTHUR PROPERTY
11332 SOUTH LAKESHORE
CHELAN, WA 98116

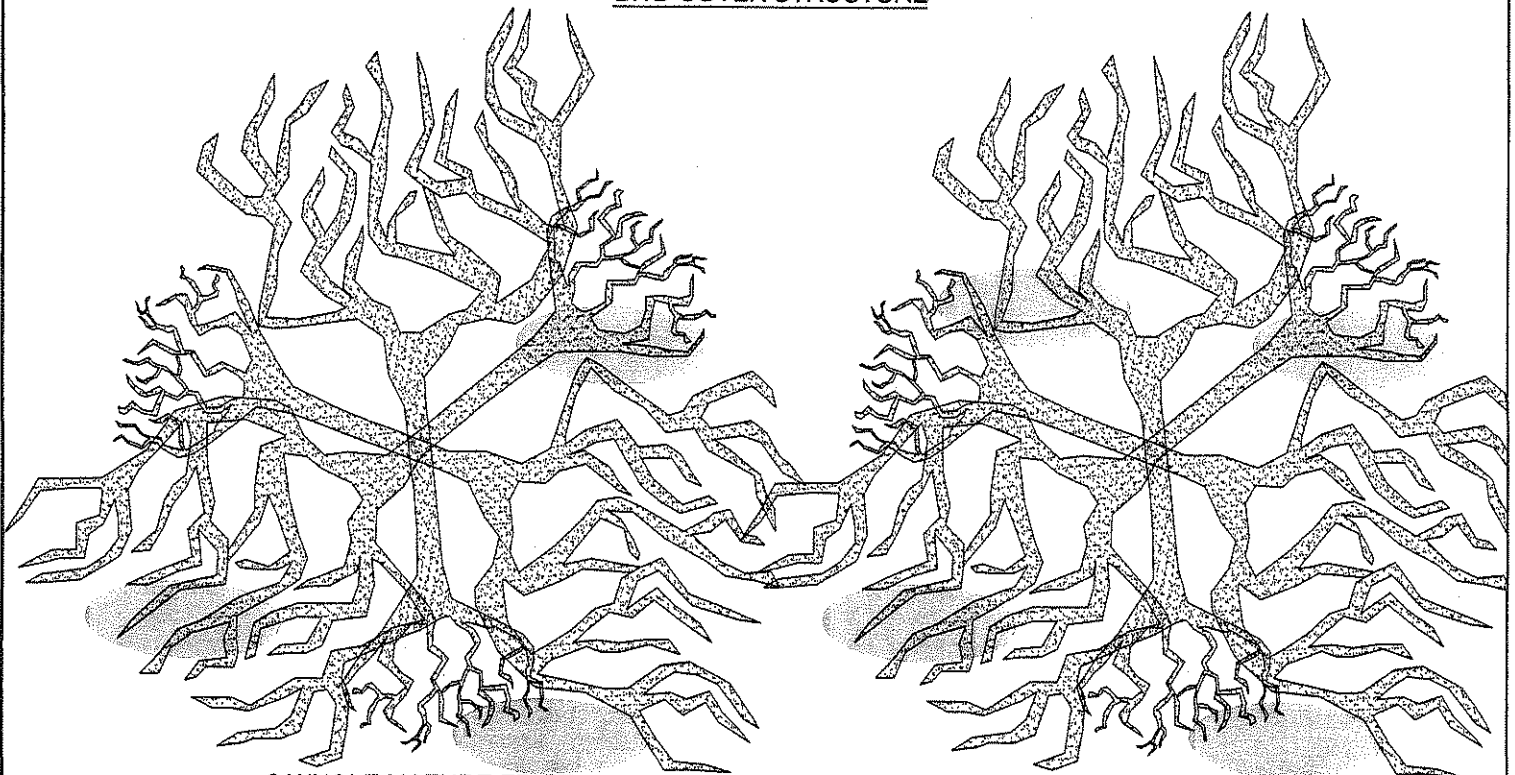
COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: DON MCARTHUR

SHEET NO. 6 OF 7 DATE: 5/20/08



PHOTOGRAPH OF ACTUAL LWD IN LAKE CHELAN

LWD COVER STRUCTURE



3 WHOLE MATURE FRUIT
TREES WITH LIMBS AND
ROOTWADS ATTACHED

3 WHOLE MATURE FRUIT
TREES WITH LIMBS AND
ROOTWADS ATTACHED

TREES CABLED TOGETHER
AND ANCHORED WITH LARGE
ROCK OR SCREW ANCHORS

PURPOSE: REPLACE PIER AND INSTALL BOATLIFT

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MITIGATION

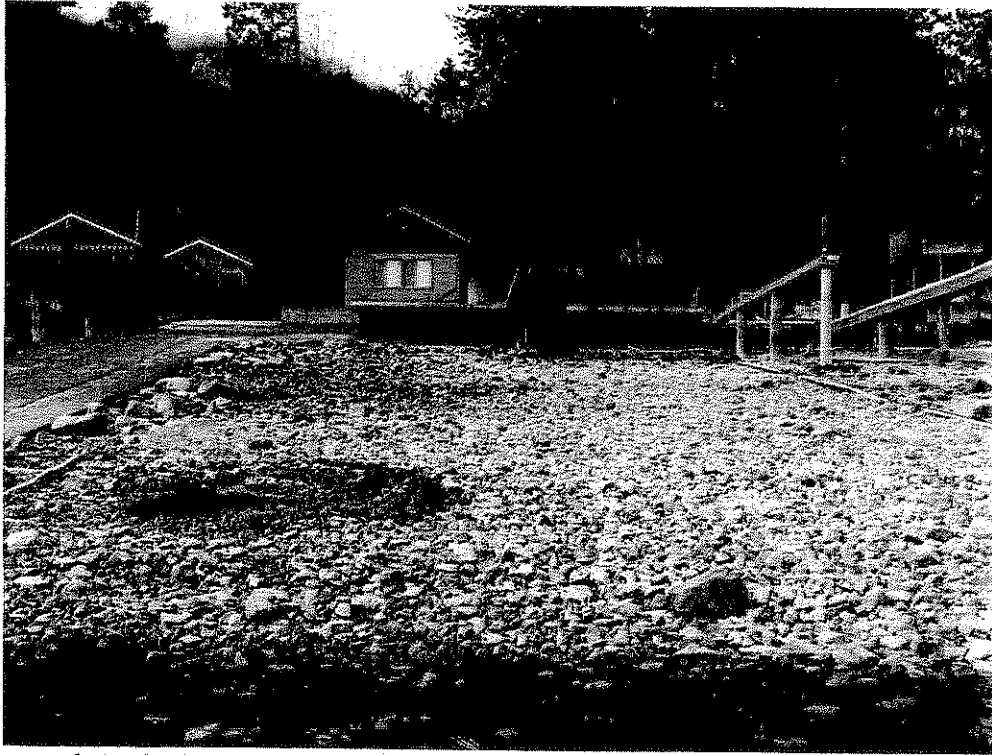


MCARTHUR PIER AND BOATLIFT

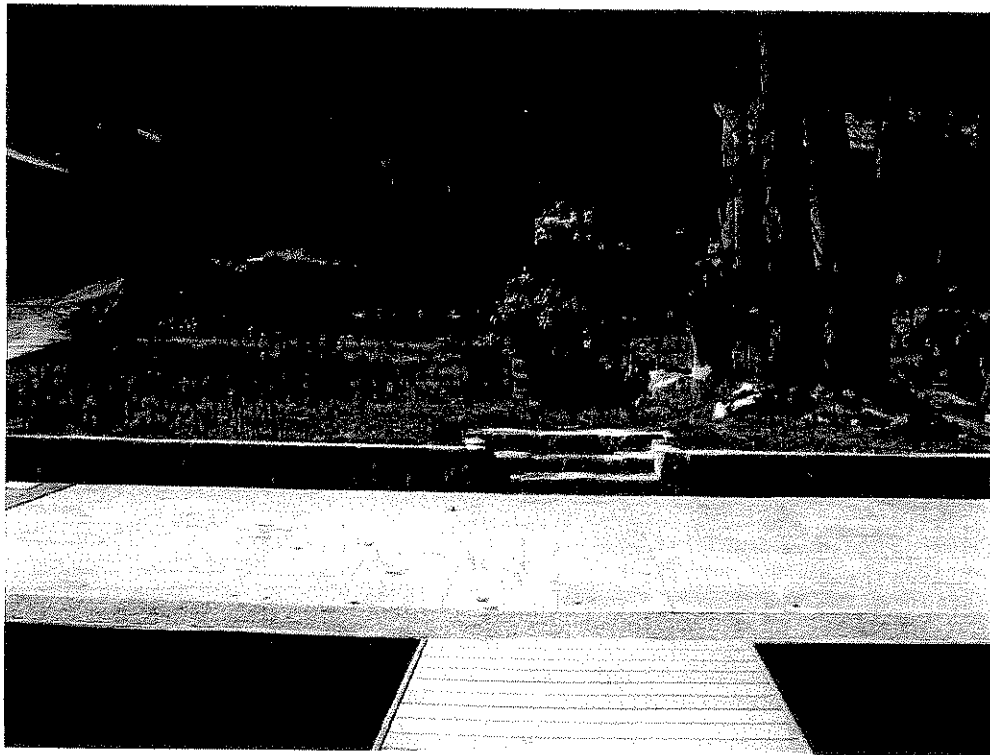
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11332 SOUTH LAKESHORE
CHELAN, WA 98116

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: DON MCARTHUR

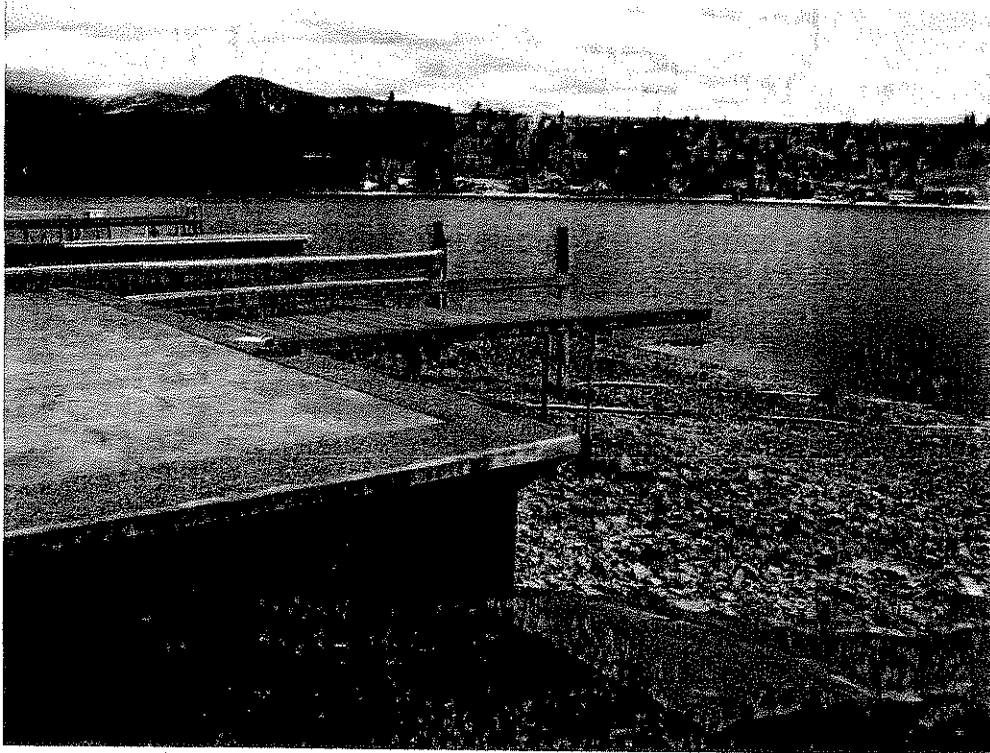
SHEET NO. 7 OF 7 DATE: 5/20/08



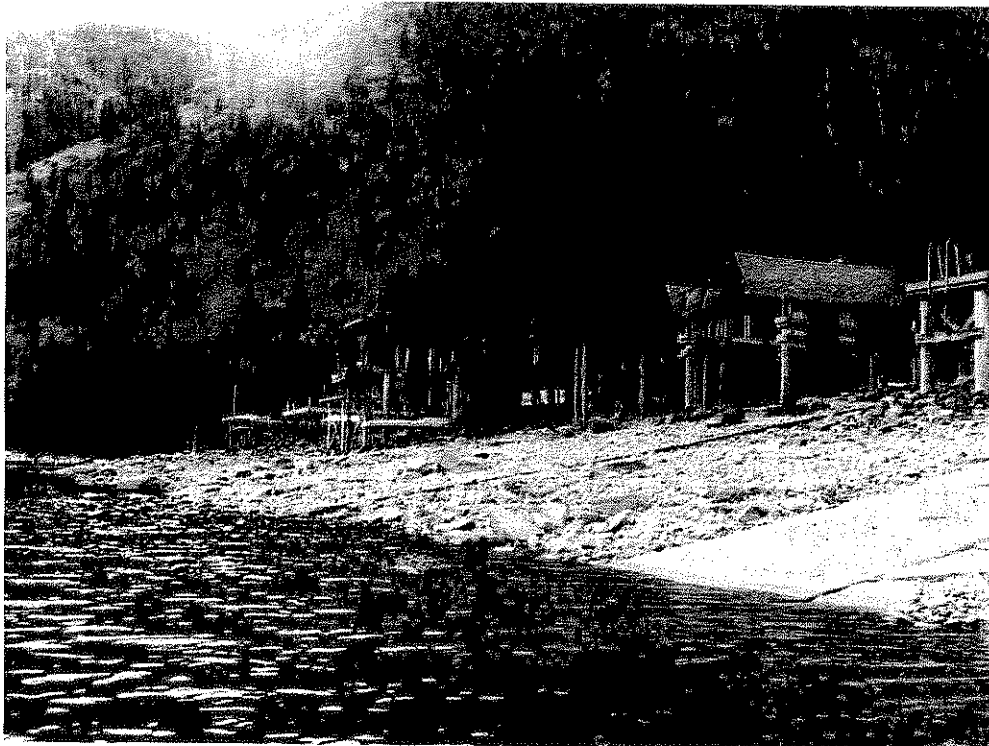
Photograph 1: Current residence and existing pier; location of proposed pier and boatlift.



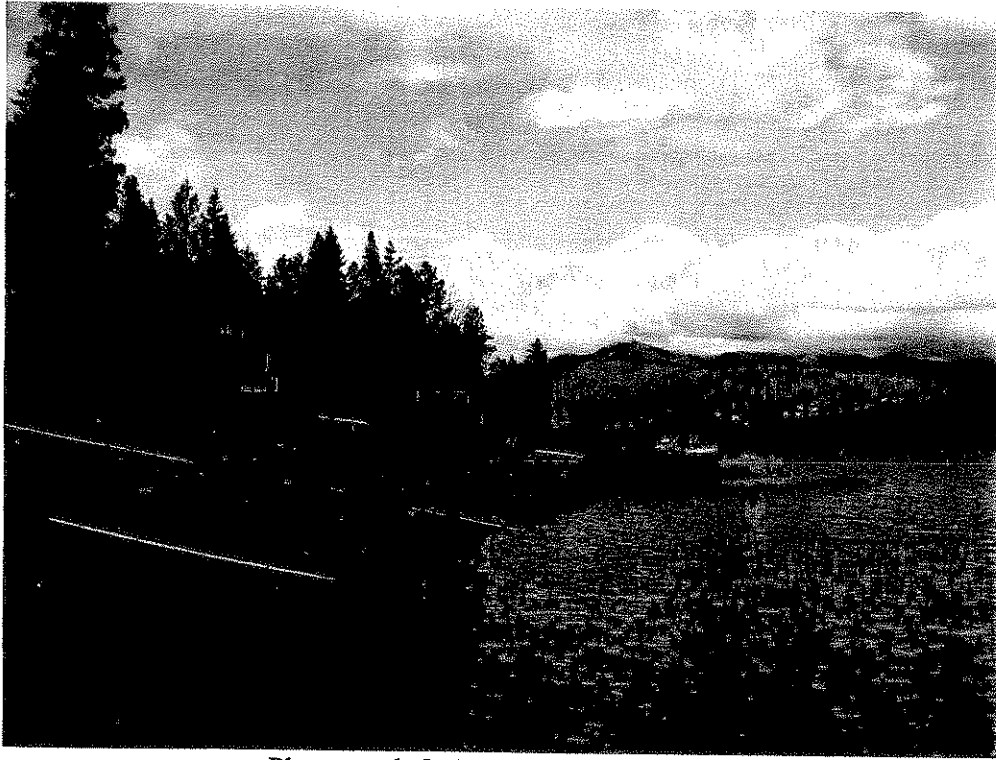
Photograph 2: Current residence and property above the OHWM.



Photograph 3: View of proposed pier and boatlift location



Photograph 4: Downlake view from site



Photograph 5: Uplake view from site